



Enforcement Program – Accomplishments & Changes

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Enforcement Program Review

- **Personal Philosophy on Enforcement**
- **NTS Reporting Levels**
- **2002 Enforcement Activity**
- **Other 2002 Enforcement-Related Activities**
- **Program Implementation Issues**
- **Future (2003) Activity**



Personal Enforcement Philosophy

- **No Difference from previous Director**
 - Long-term working relationship
 - Eye-to-eye on approach to enforcement
- **View of Enforcement Program**
 - Enforcement program is not a punitive process (Over 95% of NTS reports do not result in enforcement).
 - Enforcement is a tool to promote desired behavior.
 - namely proactive action on problems and initiative toward continuous improvement.



Personal Enforcement Philosophy

(cont'd)

- **Approach to Events/Problems**
 - Should not expect to get off the hook if lucky—potential consequences are important and considered OE
 - Looking for evidence that management is taking ownership for safety and holding themselves accountable
 - Expect contractors to approach problems the same as OE – from a neutral or objective point



Personal Enforcement Philosophy

(cont'd)

- **Communications**

My philosophy with DOE and Contractors:

- Door always open for appropriate communications
- Honest and frank communications expected
- Straight and whole story expected – be aware of risks if telling someone else a different story—do not like spin (putting the best face on every or telling only half the story)



Personal Enforcement Philosophy

(cont'd)

My philosophy with Contractors:

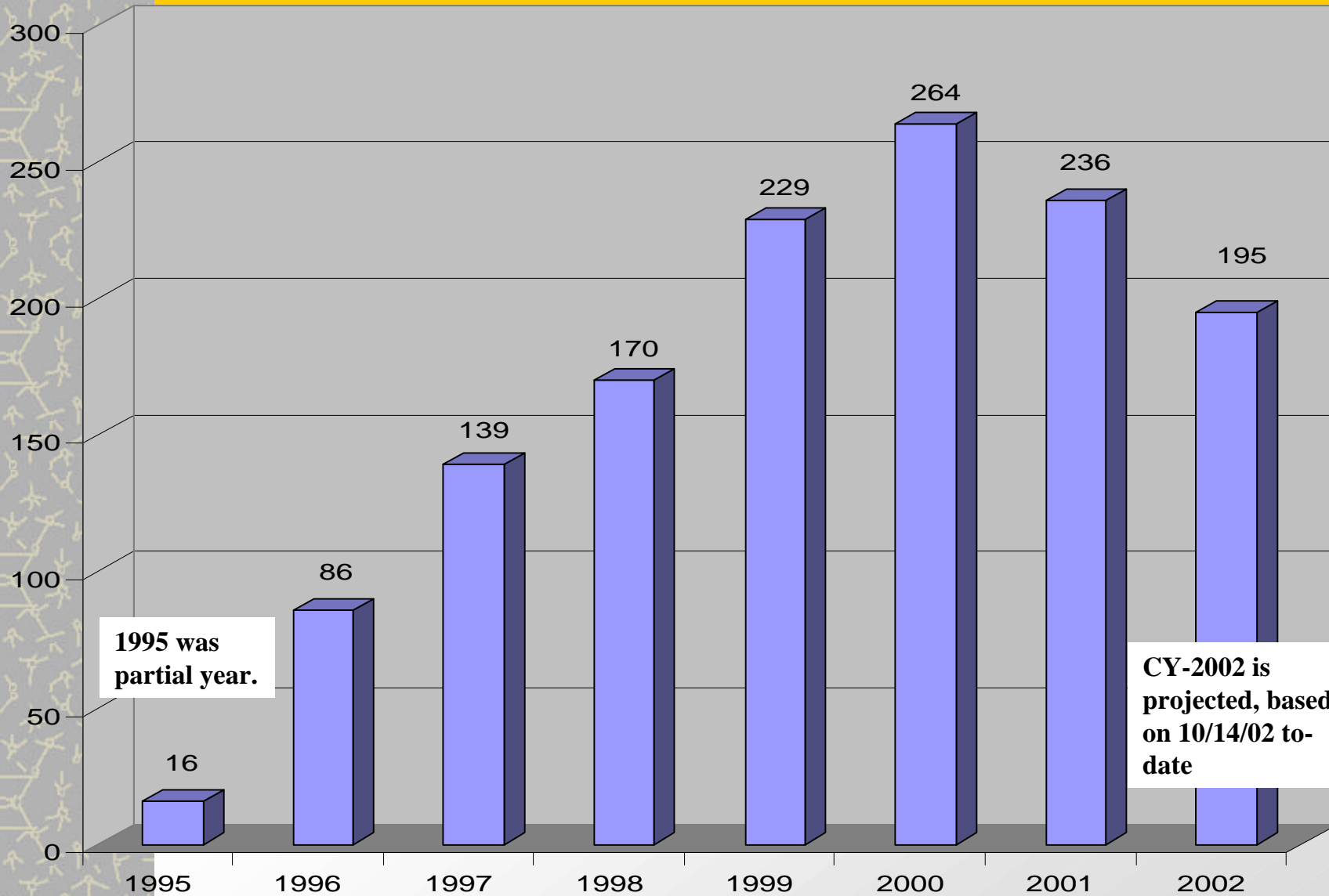
- Should not expect that frequent communications would preclude an enforcement action
- Expect contractor management to have routine & consistent communications with other contractors



State of the Program

- **Well-established process and consistent expectations**
- **Regarded highly within and outside DOE**
- **Experienced and stable OE organization**
- **Improvement in nuclear safety performance in some quarters, but more work to be done**

NTS Reporting by Year





NTS Reporting

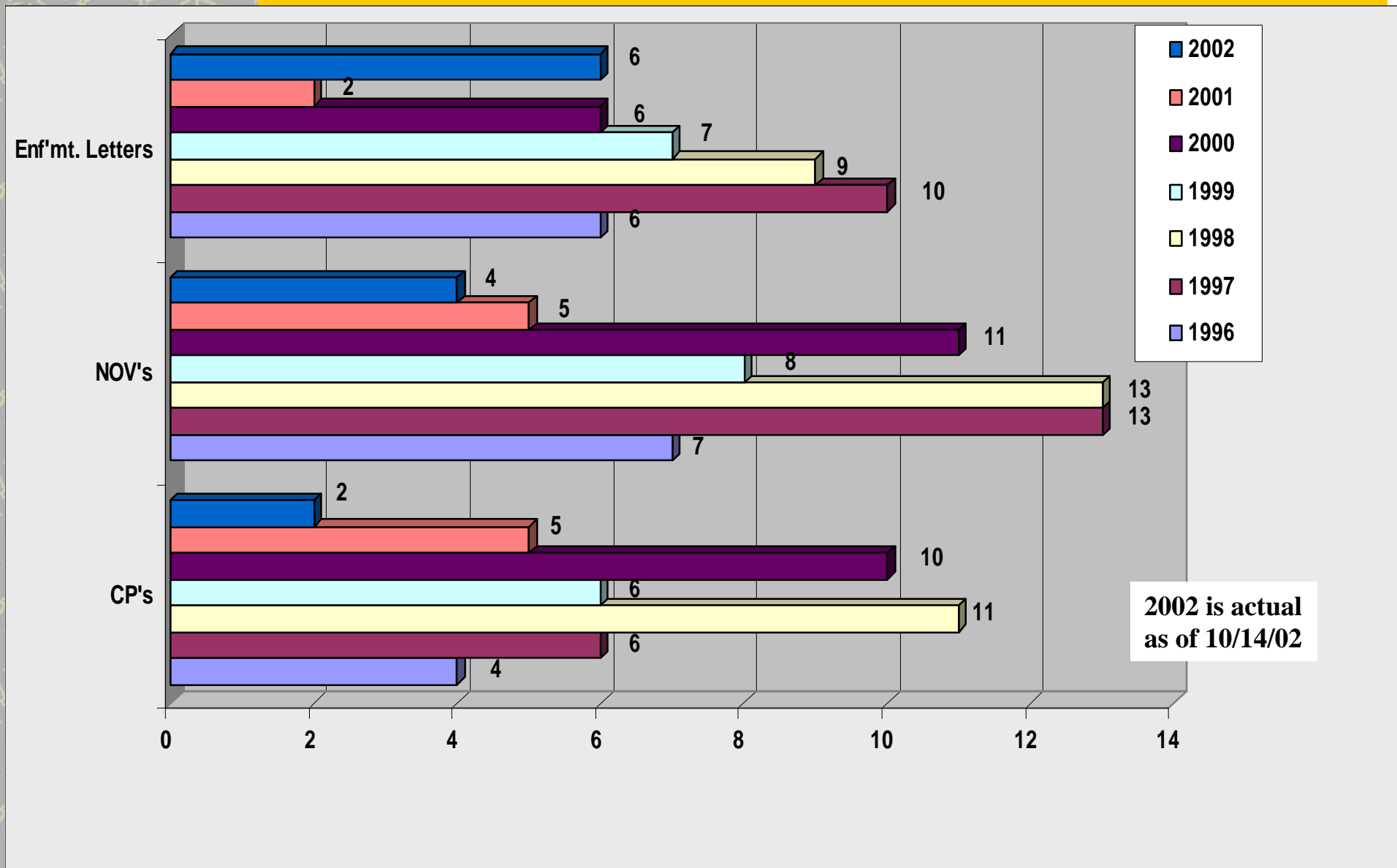
- **Noticeable decline in past two years**
- **Compliance performance may account for part of reduction**
- **OE program reviews: 7 in 1999, 7 in 2000, and 4 in 2001**
- **Improvements in performance do not account for reductions in NTS reports.**



NTS Reporting (cont'd)

- **Reporting decline perhaps relating to reduction in program reviews (six program reviews conducted in 2002)**
- **Plans for 2003:**
 - **Routine program reviews of major primes**
 - **Desktop reviews of smaller primes**

2002 Enforcement Activity





Other 2002 Enforcement-Related Activities

† Continuation of PAAA

- Status of PAAA reauthorization legislation
- Removes lab exemption from civil penalties
- When passed, will determine appropriate changes to the program and operational procedures, if any.
- When passed OE/OSHA status is unclear

† Considerable discussions on application of QA rule to weapons activities



Program Implementation Issues

- † **Press release accuracy**
- † **Importance of coordinator position**
 - Reporting position
 - Senior level experience
- † **Effectiveness of corrective actions**
 - Only some are doing this
 - Should be done as part of QI process
 - Should be routine depending on extent of problem
 - Do not need to hold NTS open for this action
- **Use of NTS reporting as contract penalty**



Future 2003 Activity

- **Increased focus in CY-2003 on the following:**
 - Causal analysis processes often stopping short of considering people issues, influencing factors
 - Adequacy of corrective action plans in addressing people issues
 - Evaluating extent of a problem*(will be covered further in one of the special topic sessions)*
- † **Program Reviews (as already noted):**
 - Routine program reviews of major primes
 - Desktop PAAA program reviews of smaller primes



Future 2003 Activity (cont'd)

- **Routine interface sessions with DOE and contractor management**
- **Development of better PAAA regulatory performance data**
- † **Development of structured approach to enforcement**
- **Updates to OE operational procedures**
 - Not updated since 1998
- † **Preparation of 2002 Enforcement Program Annual Report**



To Be Covered in Next Two Days

† Case reviews

- Pay attention to circumstances, desired contractor actions, and basis for mitigation in each case
- Reflect on the desired behavior of contractors



To Be Covered in Next Two Days (cont'd)

† Other Special Topics on the Program:

- Are we improving nuclear safety?
- Approach to safety basis compliance, deadline
- Prime-to-Prime contractor interface and responsibility
- Causal analysis deficiencies
- Common themes from program reviews

† Guest Speaker



Notes